



CITY OF NEWTON, MASSACHUSETTS

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David B. Cohen
Mayor

ZONING BOARD OF APPEALS

Sherri Lougee, Board Secretary

NOTICE OF DECISIONS

A Public Hearing has been held with regard to the following petitions before the City of Newton Zoning Board of Appeals. The decisions were determined as follows:

- #8-08** from Elizabeth A. and Todd B. Hammer, 790 Boylston Street, Apartment 27C, Boston, MA, requesting a variance of 4.9 feet from the side yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One, in order to construct a covered breezeway to connect the existing home with the detached garage at 185 Prince Street, Newton, MA, resulting in a side yard setback of 7.6 feet. **(Required side yard setback for old lots created before December 7, 1953 is 12.5 feet.) The petitioners' request for a variance from the side yard setback was granted, subject to conditions, 4-1.** Petitioners also request a variance of 10.9 feet from the rear yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One in order to construct the same covered breezeway, resulting in a rear yard setback of 14.1 feet. **(Required rear yard setback for old lots created before December 7, 1953 is 25 feet.)** The property is located in a Single Residence 1 district. **The petitioners' request for a variance from the side yard setback was granted, subject to conditions, 4-1.**
- #9-08** from Alexander Kodysh and Svetlana Kodysh, 105 Selwyn Road, Newton, MA, requesting an amendment to Variance No. 7-66 in order to construct a second floor within the front and rear setbacks on the footprint of the existing single story home, resulting in a front yard setback of 18.5 feet **(Variance No. 7-66 established a front yard setback of 18.5 feet for a single story dwelling; required front yard setback under Newton Revised Zoning Ordinances, Section 30-15, Table One for old lots created before December 7, 1953 is 25 feet),** and a rear yard setback of 8.5 feet. **(Variance No. 7-66 established a rear yard setback of 8.5 feet for a single story dwelling; required rear yard setback under Newton Revised Zoning Ordinances, Section 30-15, Table One for old lots created before December 7, 1953 is 15 feet.) The petitioners' request for an amendment to Variance No. 7-66 was denied, 5-0.** In addition, petitioners seek to amend Variance No. 6-67 by requesting a variance of .7 feet in order to legalize an existing uncovered sun deck, resulting in a rear yard setback of 12.8 feet. **(Variance 6-67 established a rear yard setback of 13.5 feet for the uncovered sun deck; required rear yard setback under Newton Revised Zoning Ordinances, Section 30-15, Table One for old lots created before December 7, 1953 is 15 feet.)** The property is located in a Single Residence 3 district. **The petitioners' request to legalize the existing sundeck was granted, 5-0.**

Any appeal of the above decision must be made to the Superior Court within twenty (20) days of its filing with the City Clerk in accordance with Section 17 of the Massachusetts General Law, Chapter 40A.

Decision numbers 8-08 and 9-08 were filed on June 6, 2008.